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Water Quality Planning
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DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF ENVIRONMENTAL PROTECTION

901 South Stewart Street, Suite 4001
Carson City, Nevada 89701 -5249

October 26, 2005

NOTICE OF DECISION

WATER POLLUTION CONTROL PERMIT
NUMBER NEV2000102

Cutthroat Mining Corporation
Treasure Hawk No. 4 Mine

The Nevada Division of Environmental Protection has decided to approve issuance of Water Pollution Control Permit NEV2000102 renewal, to Cutthroat Mining Corporation for the Treasure Hawk No. 4 Mine. This permit authorizes the construction, operation, and closure of approved mining facilities in Clark County. The Division has been provided with sufficient information, in accordance with Nevada Administrative Code (NAC) 445A.350 through NAC 445A.447, to assure the Division that the groundwater quality will not be degraded by this operation, and that public safety and health will be protected.

The permit renewal will become effective November 10, 2005. The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to Nevada Revised Statute (NRS) 445A.605 and NAC 445A.407. All requests for appeals must be filed by 5:00 PM, November 5, 2005, on Form 3, with the State Environmental Commission, 901 S. Stewart Street, Room 4001, Carson City, Nevada 89701-5249. For more information, contact Rob Kuczynski directly at (775) 687-9441, toll free in Nevada at (800) 992-0900, extension 4670, or visit the Division website at: <http://ndep.nv.gov/bmrr/bmrr01.htm>.

One comment letter was received during the public comment period. The comment letter, dated October 18, 2005, was received from Tim Hunt, Staff Engineer, Nevada Division of Water Resources (NDWR). NDEP response to his comment letter is attached to this Notice of Decision.

This Notice is for electronic distribution

NDEP Response to Nevada Division of Water Resources (NDWR) Comment Letter dated October 18, 2005.

Comment: "Any use of groundwater or surface water other than domestic use...will require the appropriate permits pursuant to NRS 533 and 534, inclusive. Plans for any proposed detention, retention, infiltration basins, etc. must be submitted [to NDWR] prior to construction to determine if a "Safety of Dams Permit" will be required...Any injection or monitoring wells that may be required...must be constructed, plugged and abandoned as required under NAC 534 inclusive. An "Affidavit of Intent to Abandon" must be on file with this office [NDWR]."

NDEP RESPONSE: Cutthroat Mining Corporation is currently working with NDWR to address the above listed concerns.